

ENTERED

October 28, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

KATIE MARIE COLA, ET AL.,

Plaintiffs.

VS.

THE DOW CHEMICAL COMPANY,
ET AL.,

Defendants.

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CIVIL ACTION NO. 3:19-CV-00199

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On August 30, 2019, Plaintiffs' Motion to Remand and Memorandum of Law in Support ("Dkt. 14) was referred to United States Magistrate Judge Andrew M. Edison for report and recommendation. *See* Dkt. 18. On October 1, 2019, Judge Edison filed a Memorandum and Recommendation (Dkt. 32) recommending that Plaintiffs' Motion to Remand and Memorandum of Law in Support (Dkt. 14) be **GRANTED**.


On October 15, 2019, Defendants filed their Objections. *See* Dkt. 39. In accordance with 28 U.S.C. § 636(b)(1)(C), this Court is required to "make a *de novo* determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this *de novo* review, the Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.*; *see also* FED. R. CIV. P. 72(b)(3).

The Court has carefully considered the Objections; the Memorandum and Recommendation; the pleadings; and the record. The Court **ACCEPTS** Judge Edison's Memorandum and Recommendation and **ADOPTS** it as the opinion of the Court. It is therefore **ORDERED** that:

- (1) Judge Edison's Memorandum and Recommendation (Dkt. 32) is **APPROVED AND ADOPTED** in its entirety as the holding of the Court;
- (2) Plaintiffs' Motion to Remand and Memorandum of Law in Support ("Dkt. 14) is **GRANTED**;
- (3) This action, originally numbered 98403-CV by the Brazoria County District Clerk, is **REMANDED** back to the 149th District Court of Brazoria County, Texas, effective immediately; and
- (4) A certified copy of this order will be mailed by the Clerk of this Court to the Clerk of the 149th District Court of Brazoria County, Texas entitling that Court to proceed with the action according to the laws of the State of Texas.

It is so **ORDERED**.

SIGNED and ENTERED this 28th day of October, 2019.



JEFFREY V. BROWN
UNITED STATES DISTRICT JUDGE